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By *ECF*

The Honorable P. Kevin Castel
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

August 7, 2020

The application to file certain
exhibits under seal and with
redactions is provisionally granted.
SO ORDERED.
9/15/2020


P. Kevin Castel
United States District Judge

Re: *Rosa v. United States*, No. 19 Civ. 2473 (S.D.N.Y.)

Dear Judge Castel:

On behalf of Plaintiffs, we write to request permission to file in redacted form and under seal a letter motion to compel discovery from Defendant the United States of America ("United States"), as well as to file under seal Exhibits C and G-I to the Declaration of Andrew K. Jondahl in support of that motion ("Jondahl Declaration"). Pursuant to the Court's Individual Rule 5.B, Plaintiffs submit with this request, under seal, the proposed letter motion to compel, with proposed redactions highlighted in yellow, and copies of Exhibits C and G-I to the Jondahl Declaration.

Plaintiffs seek to redact the portions of their letter motion that describe the substance of documents which the United States produced subject to the Privacy Act Order and Protective Order entered by the Court on November 18, 2019 ("Protective Order"), Dkt. 66, attached as Exhibits G and I to the Jondahl Declaration.

Exhibit G contains heavily redacted documents concerning allegations of misconduct against certain Individual Defendants. Exhibit I contains heavily redacted documents concerning the policies and procedures of the United States Marshals Service. Plaintiffs do not possess these documents in unredacted form and attach them as they were produced by Defendants. Exhibits C and H are emails exchanged between counsel for Plaintiffs and counsel for the United States that discuss the substance of Exhibits G and I.

Plaintiffs do not concede that these documents were appropriately designated as subject to the Protective Order, nor that they were properly redacted. However, the protections that

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attach to these documents and the information within them are at the heart of the disputes raised in Plaintiffs' letter motion to compel. Plaintiffs therefore respectfully request that the Court permit them to be filed under seal for the Court's consideration of the motion.

Respectfully submitted,

/s

Ilann M. Maazel
Andrew K. Jondahl

c. All counsel of record (*by ECF*)